

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

DAVID L. GIVENS,	)	
	)	
Plaintiff	)	
	)	Case 3:12-0672
v.	)	Judge Campbell/Brown
	)	<b>Jury Demand</b>
TENNESSEE FOOTBALL, INC.,	)	
	)	
Defendant	)	

**O R D E R**

A case management conference was set in this matter for 10:30 a.m., August 27, 2012. Contrary to the scheduling order (Docket entry 3) a proposed case management plan was not submitted three business days before the initial case management conference, and although the record reflects that the Defendant was served with process in this matter on July 13, 2012, no attorneys for Tennessee Football, Inc. made an appearance or responded and they are technically in default.

The initial case management conference in this matter is reset for **September 27, 2012, at 10:00 a.m., Courtroom 783.**

Counsel for the Plaintiff explained that part of the delay was that the arbitrator in this matter had issued a belated decision after he filed this lawsuit. Based on that decision he will be filing an amended complaint this week.

While Plaintiff's counsel stated that he had advised opposing counsel that he would not be seeking default, the proper procedure would have been for counsel for the Defendant to have

filed a notice of appearance and moved for additional time to answer or otherwise respond and to have appeared at the initial case management conference.

Counsel for the Plaintiff is directed to serve a copy of this order on the Defendant.

All attorneys are cautioned to read the notice of setting the initial case management conference (Docket Entry 3) and fully comply with it prior to the new initial case management conference date set above.

It is so **ORDERED**.

/s/ Joe B. Brown  
JOE B. BROWN  
United States Magistrate Judge